

REMARKS

This application has been reviewed in light of the Office Action dated March 30, 2004. Claims 65-88 are presented for examination. Claims 1-64 have been canceled, without prejudice or disclaimer of subject matter. Claims 65-88 have been added to provide Applicant with a more complete scope of protection. Claims 65, 75, 76, 86, and 87 are in independent form. Favorable reconsideration is requested.

The Office Action at page 2 objected to the specification because of the informality noted in paragraph 5. Applicant has amended the specification at page 19, line 5, in accordance with the Examiner's suggestion. Applicant submits that the objection has been overcome, and respectfully requests its withdrawal.

The Office Action at page 2 objected to the drawings for the reasons discussed in paragraph 4.

With regard to reference designator 406 in Figure 4, Applicant has amended the specification at page 7, line 22, to include the following after "402", --having a slider bar 404 and an adjustment slot 406.--

With regard to reference designators 530, 502, and 504 in Figure 5, Applicant has amended the specification at page 9, line 22, to include the following before "Fig. 5", --Turning to Fig. 5, a control 500 having a slider bar 502 and an adjustment slot 504 is shown in view 530.--

As to reference designators 634, 736, and 1100 in Figures 6, 7, and 10, respectively, Applicant has deleted these reference designators.

Applicant submits that the objections to the drawings have been remedied, and respectfully requests their withdrawal.

Claims 23-43 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter.

Claims 14-16, 36-38, and 57-59 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite.

Claims 1-3, 8, 9, 11, 12, 17-19, 22-25, 30, 31, 33, 34, 39-41, 44-46, 51, 52, 54, 55, and 60-62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,542,163 (*Gorbet et al.*), in view of U.S. Patent No. 5,805,167 (*van Cruyningen*), Claims 4-7, 13, 20, 21, 26-29, 35, 47-50, 56, 63, and 64 were rejected under Section 103(a) as being unpatentable over *Gorbet et al.* and *van Cruyningen* in view of U.S. Patent No. 6,515,682 (*Washington et al.*), Claims 10, 32, and 53 were rejected under Section 103(a) as being unpatentable over *Gorbet et al.* and *van Cruyningen* in view of U.S. Patent No. 6,326,985 (*Tazoe et al.*), and Claims 14-16, 36-38, and 57-59 were rejected under Section 103(a) as being unpatentable over *Gorbet et al.*, *van Cruyningen*, and *Tazoe et al.* in view of *Washington et al.* and U.S. Patent No. 6,020,886 (*Jacober et al.*).

Cancellation of these claims renders the rejections of these claims moot.

Applicant, provides the following comments in support of the patentability of new Claims 65-88 with respect to the above cited prior art.

The aspect of the present invention set forth in Claim 65 is a method of providing active user feedback in a graphic user interface including a soft control. The method includes selecting at least one object, designating the soft control by allowing a cursor of a pointing device to remain near the soft control for a first time period, displaying a pop-up window while the soft control is being designated, and showing in the pop-up window a training preview, comprising a nominal change between a present and a changed

display state of the object. The training preview reflecting the change of state of the selected object that can be expected to arise from use of the soft control.

Applicant submits that the cited art, alone or in combination, is not seen to disclose or suggest the invention as defined by independent Claim 65, particularly with respect to a training preview, comprising a nominal change between a present and a changed display state of the object, the training preview reflecting the change of state of the selected object that can be expected to arise from use of the soft control.

Gorbet et al. relates to displaying helpful information to a user of a computer application program. In the Summary of the Invention section of *Gorbet et al.*, reference is made to a preview, e.g., a thumbnail that illustrates the effect of changes that will be made if the user selects the automatic correction of the condition associated with tip (column 3, lines 61-64). Support for this appears at column 16, lines 47-52, which simply repeats that although not shown, another embodiment of the present invention may include a visual display, e.g., a thumbnail display, that illustrates what changes will be made to the currently displayed slide if the automatic correction of the tip condition is selected. An example of “automatic correction” is splitting the currently displayed slide into two slides (column 9, line 8).

The type of “change” referred to in *Gorbet et al.* teaches away from the concept of a nominal change according to Claim 65, which recites a training preview, comprising a nominal change between a present and a changed display state of the object. The term “nominal change” of Claim 65 relates to, for example, the type of “scaling” change described at page 11, lines 13-21, relating to Fig. 6 of the present specification in which a range of scale changes is possible and a nominal change is shown for training

purposes.¹ In contrast, the change in the example from *Gorbet et al.* is a binary change relating to either a currently displayed slide or two slides.

Applicant has found nothing in *Gorbet et al.* that would teach or suggest a training preview, comprising a nominal change between a present and a changed display state of the object, the training preview reflecting the change of state of the selected object that can be expected to arise from use of the soft control, as recited in Claim 65.

The Office Action concedes that *Gorbet et al.* does not teach that the preview is a pop-up feature which is displayed only during the soft control selection, and cites *van Cruyningen* as remedying the deficiencies of *Gorbet et al.* However, nothing has been found in *van Cruyningen* that would overcome the above-noted deficiency of *Gorbet et al.* not teaching or suggesting a training preview, comprising a nominal change between a present and a changed display state of the object, the training preview reflecting the change of state of the selected object that can be expected to arise from use of the soft control, as recited in Claim 65.

The Office Action also concedes that *Gorbet et al.* in view of *van Cruyningen* does not teach that the preview display is a composite preview display comprising a present display state and a changed display state, and cites *Washington et al.* as remedying the deficiencies of *Gorbet et al.* and *van Cruyningen*.

Washington et al. relates to graphical and non-graphical software controls. *Washington et al.* discusses a method for editing a control, where changes may be made to the control in a direct graphically interactive manner rather than through other means such

¹/It is to be understood, of course, that the claim scope is not limited by the details of the described embodiments, which are referred to only to facilitate explanation.

as changing values in property page dialogs or other menu driven manners (column 3, lines 24-30). In particular, a user makes changes to the copy of the control displayed in the preview window in one of two ways: either by directly interacting graphically with the control in the preview window, or by making changes via the property page dialog (column 8, lines 9-15).

Washington et al. is concerned with allowing the user to see the effect of all changes without committing or applying them to the control (column 3, lines 1 and 2). The changes of interest in *Washington et al.* are the changes the user wishes to make. This is borne out by the fact that *Washington et al.* refers to a method for editing a control (column 3, lines 23-25). The term editing clearly indicates that it is the changes that the user actively wishes to make that are to be previewed without committing or applying them to the control. This differs significantly from the “training preview” which can mimic slow, small changes which the user might make, thus affording the user an idea of the function of the control, without the user having to actively preselect the control (page 10, lines 26-28, of the specification). The changes to which the “training preview” are directed are to those changes the user might make and not to the specific changes the user wishes to make. The “training preview” thus provides a general picture of the behavior of the control of interest, while *Washington et al.* is concerned with previewing the specific changes that are already articulated in the users mind.

The Office Action concedes that *Gorbet et al.* in view of *van Cruyningen* does not teach the passively designating the soft control by allowing the cursor to remain in the vicinity of the soft control for a first time period, and cites *Tazoe et al.* as remedying the deficiencies of *Gorbet et al.* and *van Cruyningen*. However, nothing has been found in

Tazoe et al. that would teach or suggest a training preview, comprising a nominal change between a present and a changed display state of the object, the training preview reflecting the change of state of the selected object that can be expected to arise from use of the soft control, as recited in Claim 65.

The Office Action concedes that *Gorbet et al.*, *van Cruyningen* and *Tazoe et al.* do not teach a transition representing the nominal change between the present display state and the changed display state, and cites *Washington et al.* as disclosing this feature.

However, as noted above, the training preview recited in Claim 65 provides a general picture of the behavior of the control of interest, while *Washington et al.* is concerned with previewing the specific changes that are already articulated in the users mind. Nothing has been found in *Washington et al.* that would teach nor suggest a training preview, comprising a nominal change between a present and a changed display state of the object, the training preview reflecting the change of state of the selected object that can be expected to arise from use of the soft control, as recited in Claim 65.

The Office Action cites *Jacober et al.* as teaching a training preview. In particular, the Office Action points to the fact that *Jacober et al.* discusses generating help demonstrations which guide a user through the steps involved in using a particular feature of a software program (column 2, line 64 to column 3, line 9). However, nothing has been found in *Jacober et al.* that would teach or suggest a training preview, comprising a nominal change between a present and a changed display state of the object, the training preview reflecting the change of state of the selected object that can be expected to arise from use of the soft control, as recited in Claim 65.

Therefore, even if *Gorbet et al.*, *van Cruyningen*, *Tazoe et al.*, *Washington et al.* and/or *Jacober et al.* were to be combined any possible combination, assuming such combinations would even be permissible, the resulting combinations also would fail to teach or suggest at least those features of Claim 65.

For at least the above reasons, Applicant submits that Claim 65 is clearly patentable over the cited prior art, whether considered separately or in combination.

Independent Claims 75, 76, and 86 are computer readable medium, computer executable program, and apparatus claims respectively corresponding to method Claim 65, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 65. Additionally, independent Claim 87 includes features similar to those discussed above in connection with Claim 65. Accordingly, Claim 87 is believed to be patentable for at least the same reasons as discussed above in connection with Claim 65.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully request favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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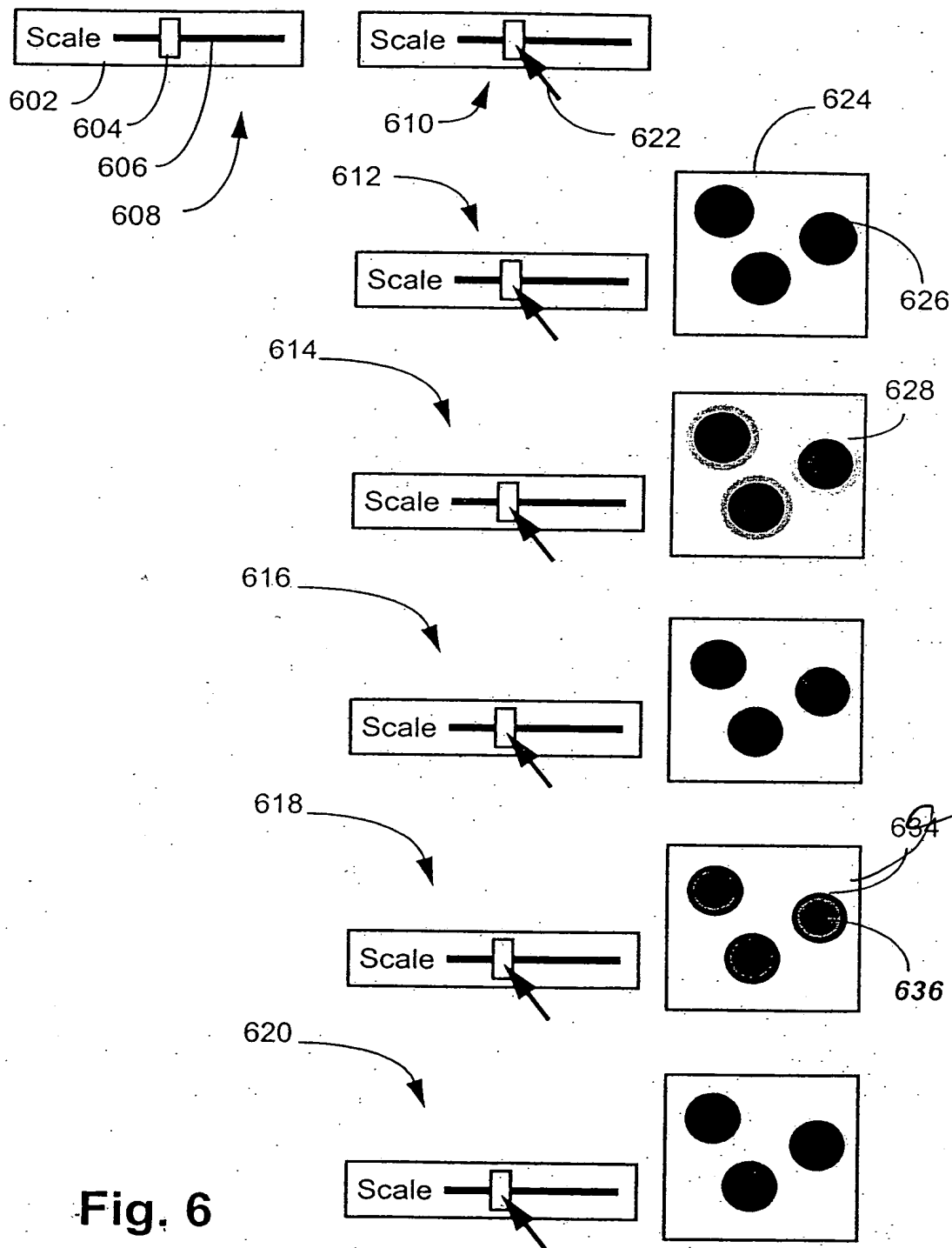


Fig. 6

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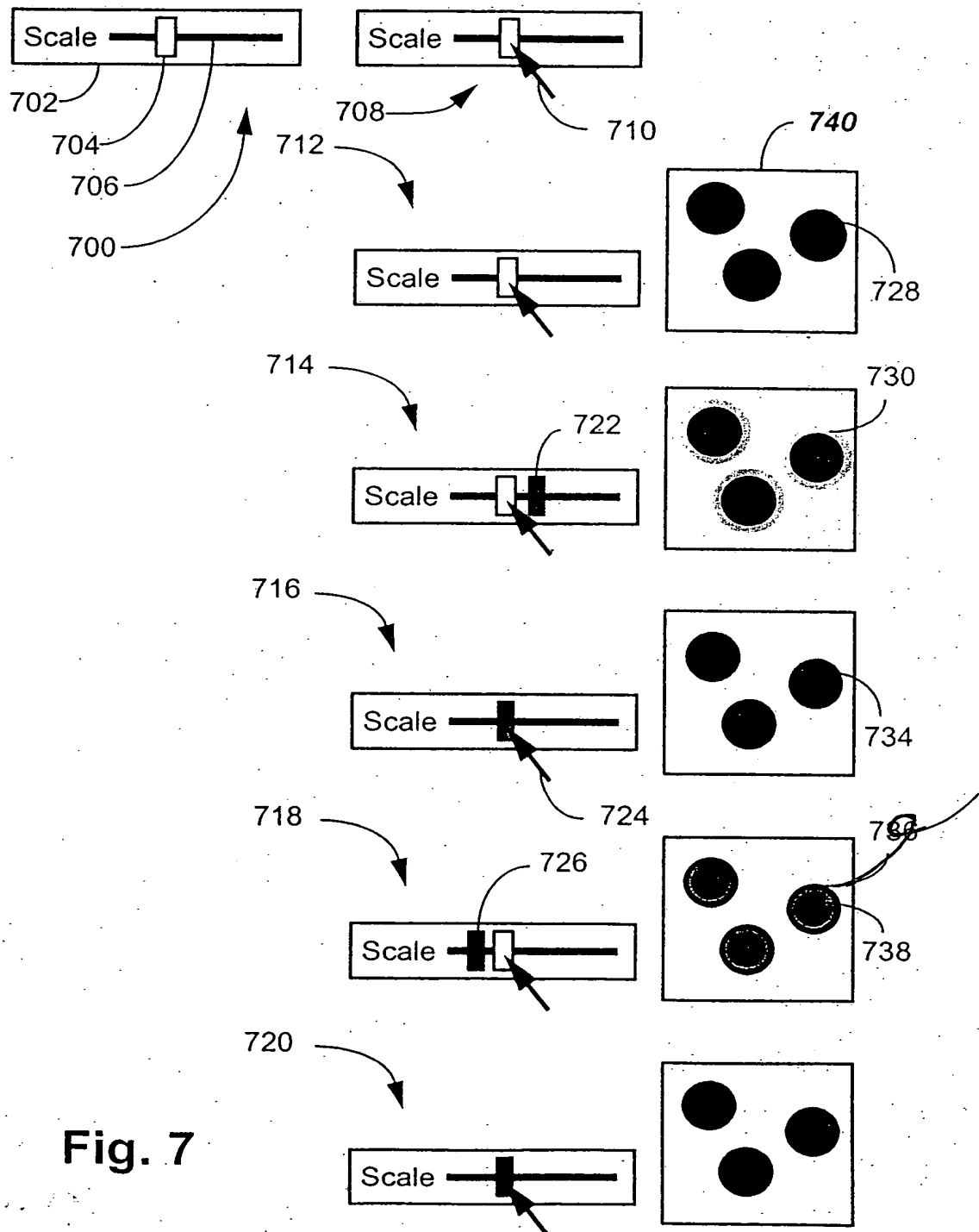


Fig. 7



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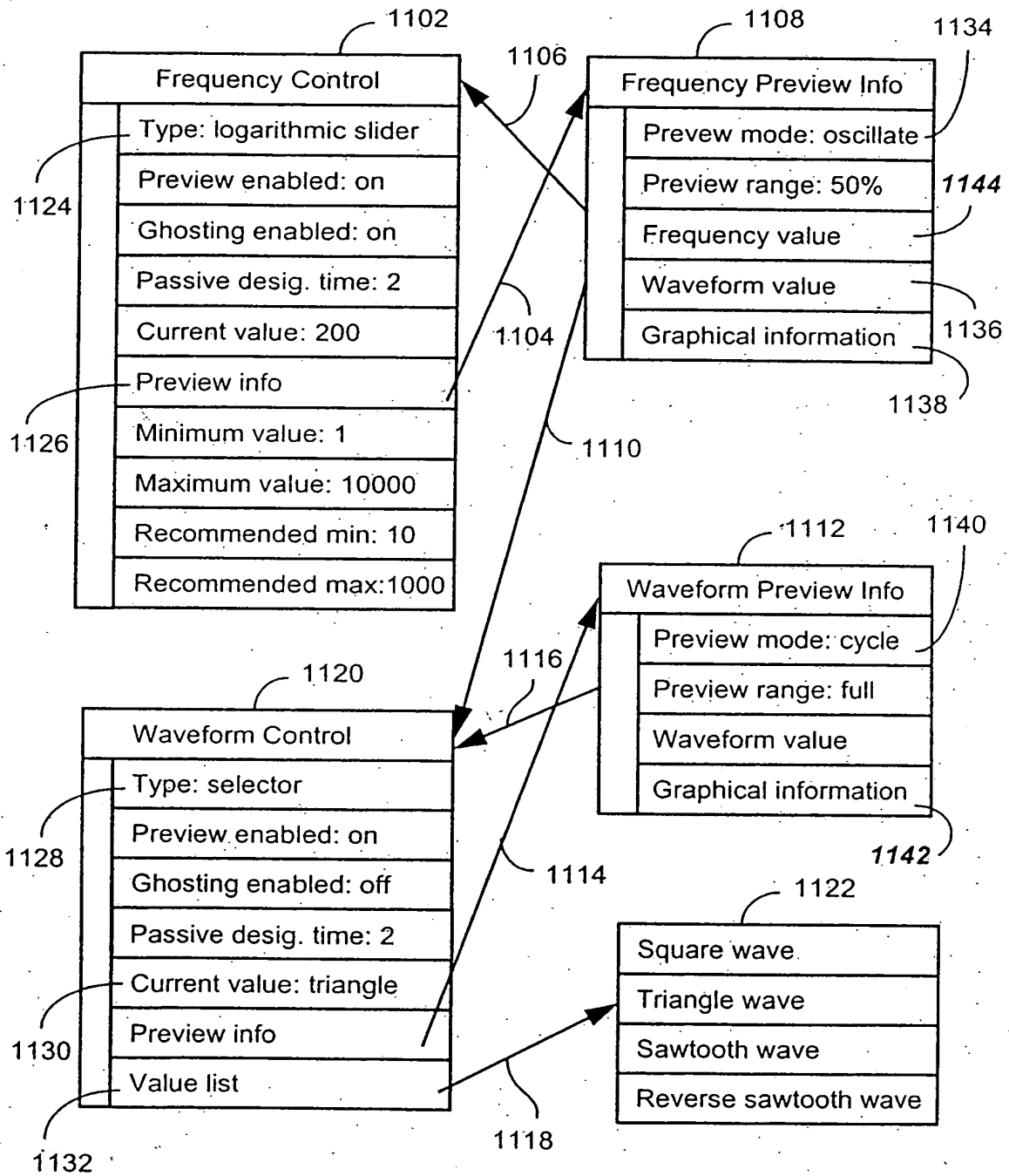


Fig. 10